

STATEMENT OF BASIS (AI No. 155052)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0123854 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Marceaux Construction, Natural Stone, & Design
P.O. Box 247
Abbeville, LA 70511

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Molly McKean

DATE PREPARED: April 18, 2008

1. PERMIT STATUS

A. Reason For Permit Action:

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A

C. LPDES permits - LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: January 3, 2008

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - stone fabrication

This facility cuts and polishes granite and natural stone for construction. There are two discharges, sanitary wastewater and wastewater from the cutting process. Water is run through the saw for cooling and to control dust. This water flows to a sump to settle solids. The sump discharges to the ditch.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: III
4. SIC code: 3281

C. LOCATION - 7901 Hwy 167, Abbeville, Vermilion Parish
Latitude 30° 02' 13", Longitude 92° 07' 23"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: sanitary wastewater
Treatment: package treatment plant
Location: at the point of discharge from the STP, prior to mixing with any other waters
Flow: 200 gpd
Discharge Route: Coulee Kenny via local drainage

Outfall 002

Discharge Type: stone cutting and polishing wastewater
Treatment: settling sump
Location: at the point of discharge from the sump, prior to mixing with any other waters
Flow: intermittent
Discharge Route: Coulee Kenny via local drainage

4. RECEIVING WATERS

STREAM - Coulee Kenny via local drainage

BASIN AND SEGMENT - Vermilion-Teche Basin, Segment 060802

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. agriculture

5. TMDL STATUS

Subsegment 060802, Vermilion River - from New Flanders (Ambassador Caffery) Bridge, Hwy. 3073, to Intracoastal Waterway, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060802 was previously listed as impaired for phosphorus, nitrogen (nitrate + nitrite as N), organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060802:

The Mermentau River and Vermilion-Teche River Basins TMDL for the pesticide Carbofuran was finalized on March 21, 2002. Pesticides, which can be attributed to agricultural runoff, are not considered to be discharged from this facility.

The treated sanitary wastewater and stone cutting/polishing wastewater discharges from this facility have the potential to discharge pollutants that may contribute to the suspended solids impairment of

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the receiving stream. As per the *TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin*, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. TSS limits included in the permit will address this impairment.

This facility was not considered in the *Vermilion River Fecal Coliform TMDL* (April 5, 2001). As per the *Vermilion River Fecal Coliform TMDL*, "The Louisiana Water Quality Regulations require point source discharges of treated sanitary wastewater to meet the standard at end-of-pipe. Therefore, there will be no change in permit requirements based upon a wasteload allocation resulting from this TMDL."

The DEQ TMDL for Vermilion River Oxygen Demand was incorporated into the EPA TMDL *Vermilion River Dissolved Oxygen and Nitrogen TMDL* (see Federal Register Notice: Volume 66, Number 66, Pages 18087-18089, 04/05/2001). This TMDL did not provide for more stringent limits than those already in place by the Department. Standard BOD₅ and TOC limits have been included in the permit and will adequately address the potential to contribute to the organic enrichment/low DO and Nitrogen impairments.

The sanitary discharge is the potential source of Phosphorus from this facility. Due to the small amount of discharge (estimated 240 gpd), this discharge should not cause or contribute to further impairment of the receiving stream. Since increases in Phosphorus input are inversely related to Dissolved Oxygen (through algal growth and decay), the BOD₅ limit should be sufficient to control Phosphorus inputs to the receiving stream. In addition, as per the February 29, 2000 Delist (Federal Register Notice: Vol. 65, Num. 173, pages 54032-54034, 9/6/2000), assessment of new data and information shows this segment is meeting water quality standards for Phosphorus.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

A. OEC -- There are no current, open, or appealed enforcement actions on file as of April 21, 2008. There are no inspections on file as of April 21, 2008.

B. DMR Review/Excursions -- This is a new permit. There are no DMRs on file as of April 21, 2008.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060802 of the Vermilion-Teche Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Marceaux Construction, Natural Stone, & Design

1. **Outfall 001** - sanitary wastewater (estimated flow is 200 GPD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Weekly Avg (mg/l)	<u>Reference</u>
Flow	--- : Report	LAG530000, BPJ
BOD ₅	--- : 45	LAG530000, BPJ
TSS	--- : 45	LAG530000, BPJ
Fecal Coliform Colonies/100 ml	--- : 400	LAG530000, BPJ
pH	6.0 su (min) – 9.0 su (max)	LAG530000, BPJ

Treatment: package treatment plant

Monitoring Frequency: semiannually, BPJ per LAG530000

Limits Justification: These limits are based on the Class I Sanitary General Permit (LAG530000) for discharges totaling less than 2500 GPD.

2. **Outfall 002** – stone cutting/polishing wastewater (estimated flow is intermittent)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow	--- : Report	BPJ, *
TOC	--- : 50	BPJ, *
TSS	--- : 45	BPJ, *
pH	6.0 su (min) – 9.0 su (max)	BPJ, *

Treatment: settling sump

Monitoring Frequency: quarterly

Limits Justification: These limits are based on BPJ and existing permits for similar facilities cutting and polishing stone.

* Existing permits for similar outfalls

BPJ Best Professional Judgement

su Standard Units

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 3281 are considered to be associated with industrial activities. The facility submitted a No Exposure Certification form on June 4, 2008. Therefore a SWP3 requirement is not included in the permit.